Also, petitions of Rev. B. F. Fleetwood, D. D., of Sycamore, Ill.; Dr. A. M. Harrison and C. E. Sovereign, of Rockford, Ill.; and W. E. Prichard, of Ottawa, Ill., for prohibitory legislation; to the Committee on the Judiciary.

Also, petitions of J. E. Lewis and H. C. Wood, of De Kalb, Ill., for the Chamberlain bill, Senate bill 1695, for military and naval training; to the Committee on Military Affairs.

Also, petition of Herman L. Lange, for House bill 15582 and Senate bill 1662, to increase pensions of blind veterans; to the Committee on Invalid Pensions.

By Mr. GALLIVAN: Petitions of sundry citizens of Boston, asking a referendum vote before Congress declares war; to the Committee on Foreign Affairs.

Also, petitions of sundry citizens of Boston, Dorchester, Roxbury, and Mattapan, Mass., favoring a retirement law and an increase of salary for letter carriers; to the Committee on the Post Office and Post Roads.

Also, petition of the Massachusetts Branch of the League to Enforce Peace, relative to the adoption of the league's proposals by the United States; to the Committee on Foreign Affairs.

Also, memorial of members of the Convention of New England Electrical, Civil, and Mechanical Engineers, pledging themselves to support the President regarding war; to the Committee on Foreign Affairs.

By Mr. GRIFFIN: Petition of National Housewives' League, signed by Jennie Dewey Heath, favoring the passage of the Stephens-Ashurst bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Equitable Life Assurance Society of the United States, protesting against the increase in the present tax on life insurance funds; to the Committee on Ways and Means.

Also, memorial of Boston Post Office Clerks' Association, Branch No. 5, United National Association of Post Office Clerks, indorsing House bill 17806; to the Committee on the Post Office and Post Roads.

By Mr. HINDS: Memorial of the Portland Chamber of Commerce, Portland, Me., opposing the proposed tax of 8 per cent on the excess profits of corporations and copartnerships; to the Committee on Ways and Means.

By Mr. MORIN: Petition of Messrs. J. W. Cruikshank, H. E. Zaring, R. G. Pentecost, C. E. Mayhew, and H. H. Willock, all of Pittsburgh, Pa., with reference to the Federal suffrage amendment; to the Committee on the Judiciary.

By Mr. OAKEY: Memorial of Central Pomona Grange No. 1, Patrons of Husbandry, of Connecticut, against amendment reducing the tax on colored oleomargarine; to the Committee on Ways and Means.

By Mr. ROWLAND: Petitions of sundry church organizations of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. SHOUSE: Petitions of 43 people at a public meeting at Minneola, Kans., and 90 people of the Woman's Christian Temperance Union, Ashland, Kans., favoring a national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. SNYDER: Petition of the retail druggists of Rome, N. Y., for legislation permitting the mailing of poisonous drugs to persons fitted to receive them; to the Committee on the Judiciary.

Also, petitions of sundry citizens of the State of New York, protesting against the passage of the Kitchin bill, to regulate check collection; to the Committee on Banking and Currency.

By Mr. SULLOWAY: Memorials adopted by the 453 mechanical engineers of the New England Branch of the American Society of Mechanical Engineers, in reference to the attitude of the President and Congress on the submarine issue, and pledging loyal support; to the Committee on Foreign Affairs.

By Mr. TAYLOR of Colorado: Petition of Church of the Brethren, Fruita, Colo., favoring a national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of 114 people of the Congregational Church, Fruita, Colo., favoring a national constitutional prohibition amendment; to the Committee on the Judiciary.

Also, petition of certain citizens of Grand Junction, Colo., protesting against shipment of liquors from the United States to west coast of Africa; to the Committee on Alcoholic Liquor Traffic.

Also, memorial of the Methodist Episcopal Church of Fruita, Colo., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of Francis Willard Union, representing 200 people, of New Castle, Pa., favoring the Sheppard-Gallinger-Webb-Smith joint resolution for a prohibitory amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, petition of College Hill Union, numbering 124 people, of Beaver Falls, Pa., favoring the Sheppard-Gallinger-Webb-Smith joint resolution for a prohibitory amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, petition of 25 members of the Cross Creek Grange, No. 954, Washington County, Pa., opposing Senator UNDERWOOD'S amendment to the revenue bill; to the Committee on Ways and Means.

By Mr. YOUNG of North Dakota: Memorial adopted by the Commercial Club of Larimore, N. Dak., urging upon Congress the necessity of the early designation, construction, and maintenance of a system of national highways; to the Committee on Roads.

SENATE.

SUNDAY, *February 18, 1917.*

(Legislative day of Wednesday, February 14, 1917.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

MEMORIAL ADDRESSES ON THE LATE SENATOR CLARKE.

Mr. ROBINSON. Mr. President, pursuant to the notice heretofore given, I offer the resolutions which I send to the desk and ask for their adoption.

The VICE PRESIDENT. The resolutions will be read.

The Secretary read the resolutions, as follows:

Senate resolution 363.

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. JAMES P. CLARKE, late a Senator from the State of Arkansas.

Resolved, That is a mark of respect to the memory of the deceased, the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. ROBINSON. Mr. President, the notable career of the late Senator JAMES P. CLARKE, of Arkansas, was closed by sudden death on October 1, 1916. Within four months after his demise the legislature of our State adopted a resolution providing for the erection of his statue in Statuary Hall in commemoration of his services to Arkansas and to the Nation.

Mr. CLARKE was born in Yazoo City, Miss., August 18, 1854. He studied in the common schools and other local educational institutions of Mississippi and graduated in law at the University of Virginia in 1878. He entered upon the practice of his profession at Helena, Ark., in the following year. In 1886 his political career began with service in the lower house of the general assembly. In 1888 he was elected to the State senate for a term of four years, becoming president pro tempore of that body and ex officio lieutenant governor. In 1892 he was elected attorney general of Arkansas, and in 1894 governor of that State. Three years later he resumed the practice of law at Little Rock and actively pursued his profession until his election to the United States Senate in 1902. His service in this body began March 4, 1903, and his influential activities here continued until his death.

The action of the General Assembly of Arkansas in authorizing the statue of Senator CLARKE to be placed in our national hall of fame within so short a time following his departure, is an unusual tribute. Considered in connection with the fact that he had many personal antagonisms and political controversies, the enmities of which must have survived him, this tribute to his character and services is the more pronounced. This honor was prompted by appreciation of the personal integrity and marked ability which characterized the private and public career of Senator CLARKE rather than by affection and gratitude. There are other names associated with the progress of Arkansas that thrill her people with loving memories. Gen. Patrick Cleburne ranks with Jeb Stuart, Bedford Forrest, and Stonewall Jackson in courage and daring. The songs of Albert Pike, his chivalric, knightly character and striking personality, render him immortal.

Augustus H. Garland was among the Nation's greatest lawyers and statesmen. James K. Jones led his party for many years with courage, fidelity, and distinction. U. M. Rose was for the lifetime of a generation the most cultured man at the American bar. His knowledge of literature and art was not greater than his comprehension of the principles of justice and equity, which form the basis of our social, industrial, and political system. Any two of these are worthy of places in Statuary Hall, and it has been the difficulty of choosing among them that has kept vacant one of the niches reserved for Arkansas. Any man who

pursues a long political career must incur enmities. One who is always aggressive and uncompromising naturally accumulates many political enemies. This was the case with Senator CLARKE. Yet so highly is his memory esteemed in Arkansas that the legislature has already voted the resolution according him a place among the Nation's immortals.

PERSONAL HABITS.

One of the secrets of the success which attended the efforts of Senator CLARKE is found in his personal habits. They were in every respect above reproach and criticism. Notwithstanding his impulsive nature, he never dissipated and never indulged in excesses in any form. He abstained from the use of alcohol and tobacco, was systematic in his labors, and regular in his hours of work and recreation. His exercise consisted almost entirely of walking. He never engaged in sports or pastimes. Had he done so, in all probability he would still survive. He lived in a state of almost constant tension. His amusements were limited to the pleasantries of conversations with intimate associates. He rarely attended theaters, never read poetry, and found little pleasure in music. His greatest delight came from his knowledge and study of the peculiarities and personal traits of prominent men. Senator CLARKE read comparatively few books. In speeches he rarely quoted any one; yet he possessed the greatest fund of valuable information and the smallest amount of useless knowledge of any man I have ever known. The sources of his knowledge, its accuracy and thoroughness, were sometimes subjects of amazement to his friends.

CHARACTERISTICS OF HIS PUBLIC SERVICE.

It is not practicable to review on this occasion the details of his public service. It is my good fortune to have known him all my life and to be familiar with the mainsprings of both his public and private conduct. They were integrity, courage, absolute independence, and consequent masterful will power. His public career was long. There was never an hour of it when his character and conduct were not under the scrutiny of friends and enemies, notwithstanding his detestation of notoriety; yet he was never suspicioned of dishonesty or of willful disloyalty to the public interests. He was always observed and frequently assailed, but never was his personal or official integrity impeached or questioned. He once said to me: "I have some confidences but no secrets."

Courage, both physical and moral, were an equally distinctive trait of this remarkable man. His physical courage was primitive, at times almost savage. Until late in life his habit was to invite conflict, never to avoid it. He had many personal encounters. The readiness with which he avenged an insult and the relentlessness with which he pursued an enemy were perhaps the least admirable traits of his otherwise marvelous character.

It is not often that moral and physical courage in equal proportions are combined in a single character, but in Senator CLARKE extraordinary physical courage was equaled, if not excelled, by moral courage. He did not fear to take any stand, to advance against any measure which his judgment condemned, or to spring to the support of any principle which his conscience approved. He was the only public man I ever knew whom I regarded as absolutely free from demagoguery and every other form of political pretense or dissimulation. A great man who has served a generation in Congress once said:

I am as sincere in my public utterances and acts as the exigencies of politics will permit.

He spoke the truth. Next to Senator CLARKE, that man approaches as nearly to absolute independence of thought and action in public matters as any man whom I have known. A great newspaper published in Arkansas once said, in substance:

Whatever one's personal feelings toward him may be, Senator CLARKE can not fairly be accused of any form of demogoguery.

Indeed, he was more likely to choose the unpopular than the popular position. The unqualified independence of Senator CLARKE frequently brought him into opposition with his party associates. During the administration of President Roosevelt the Panama Canal legislation was opposed by the Democratic organization in the Senate. Its passage was accomplished, as Mr. Roosevelt has stated, largely through the exertions of Senator CLARKE.

When the so-called Bristow amendment, the joint resolution providing for the election of United States Senators by popular vote, was pending in the Senate many Democratic Senators from Southern States expressed the fear that force bills would result, and sought to modify the amendment so as to deny to the Federal Government control over elections. Senator CLARKE declared that the preservation of the Government may in the future depend upon its control of the selection of its officers. He voted for the Bristow amendment and against the Bacon amendment giving to the States the power to fix the times, places, and manner of holding elections. The Bristow amendment became a part of the Constitution. His vote was indispensable to its passage. His contribution last Congress to the defeat of the ship-purchase bill, strongly advocated by the administration, and its modification during the present Congress to conform in part to his views are familiar history to all Senators.

His election as President pro tempore of the Senate when the Democrats secured control of the organization in 1913 was an honor which he and the people of our State heartily appreciated. Speaking for the most part to Senators who are familiar with his personality and his services, I deem it not improper to say that this recognition was the tribute of his associates to his unimpeachable integrity and his notable ability, and was in no wise the result of that partiality which sometimes brings unmerited favor to men in public life.

His reelection as President pro tempore of the Senate at a time when his relationship with some of his party colleagues was strained on account of his opposition to the ship-purchase bill, an administration measure, gives emphasis to this view and illustrates his ability to impress his personality upon his associates in spite of the opposition which his course inevitably aroused.

When the Adamson eight-hour bill was voted upon by the Senate Senator CLARKE and one other Democrat voted against the measure. He regarded the bill as a direct encroachment upon the freedom of contract and as legislation under improper restraint and influences approximating compulsion. It has been stated that he declined to sign the bill as President pro tempore because of his opposition to it. It is true that he vacated the chair and called the Senator from New Jersey [Mr. HUGHES] to preside when the bill was received for signature; but I happen to know that his action in this instance was not prompted by his opposition to the measure but by a desire to accord the privilege of signing it to one of his intimate personal friends who had been a strong advocate of the bill and whose whole career in Congress had been signalized by a friendly attitude toward legislation in the interest of labor. There is no mistake in the assertion that he was unalterably opposed to the bill, but his failure to sign it was prompted principally by the sentimental consideration above stated rather than by sheer obstinacy.

The Panama Canal bill, the Bristow amendment, the ship-purchase bill, and the eight-hour law are all measures of paramount and far-reaching importance. All forms of political and personal pressure, amounting to almost temporary social and political ostracism, were exerted to induce him to yield in every one of these instances. In no case did he seriously consider modifying his position except with reference to the ship-purchase bill. In that case, if he did not slightly modify his attitude, he was almost persuaded to do so.

PHILIPPINE INDEPENDENCE.

During the last session of Congress, when the Philippine Government bill was under consideration, Senator CLARKE offered an amendment providing for independence to the Filipinos within a short, fixed period. Opposition to the amendment was organized and powerful, and the contest was one of the fiercest which I have observed in Congress during 15 years' service. His amendment, in a modified form, passed the Senate, but was defeated in the House of Representatives. Its defeat was a great disappointment to Senator CLARKE, who believed in a prompt grant of independence to the Philippines as necessary to preserve amicable relations with certain oriental powers, and to maintain the honor and good faith of the United States as expressed in its traditional policies, its treaties, the Constitution, and the Declaration of Independence.

These instances illustrate his independent grasp of public questions. They are by no means exhaustive. His views and services were practical rather than theoretical. He never advocated purely idealistic propositions, but invariably justified his course by considerations of justice and the public interest.

DOMINATING SPIRIT.

The impatience with which he encountered opposition, his decisive views and aggressive assertion of them, and his dominating spirit are known to every Senator here. His appeal was to the group rather than to the individual or the multitude. His influence with courts, juries, committees, and like organizations was remarkable, and at times astounding. He was almost indifferent to popular opinion. His freedom from all forms of demagoguery, of which I have already spoken, is illustrated by the fact that he never advertised, never appealed to sympathy.

Unfriendliness toward newspapers and newspaper men marked his entire public career. He rarely granted interviews, never explained through the newspapers, and frequently provoked

unfriendly editorial comment by an intolerant manner. Some of the newspapers in our State pursued a persistent policy of antagonizing him and their reporters and correspondents were instructed to "knock" him. He rarely took public notice of unfavorable comments, but freely expressed, in a personal way, his resentment at this treatment.

Had he pursued a different course, had he been considerate of the feelings of newspaper reporters and availed himself, as most public men do, of fair and just opportunities for publicity, his unusual attainments and mental powers would have been more generally known and appreciated.

SOME CLARKE EPIGRAMS.

The power of terse, epigrammatical statement characterized Senator CLARKE'S utterances. I have memorized a few of his sentences so striking or original as to merit preservation, as follows:

The hate squad in political warfare is always on the firing line, brother; it never sleeps nor goes off duty. It is commanded by disappointed office seekers.

—

There exists no political friendships; they are merely political alliances.

—

The ever-increasing details of senatorial labor tend to belittle the office. Under the existing system we exhaust our energy in attention to the trivial and personal requests of our constituents and retain neither the strength nor the disposition to devote ourselves vigorously to the great public issues.

—

It is not so much the requests of my constituents which I have refused to grant that have plagued and embarrassed my public service as those which I have attempted to grant to the neglect of vital public duties.

—

No one deserves to be a Senator who shirks responsibility by hiding behind a caucus edict. I am anxious to confer with my colleagues and gladly yield to them in nonessentials, but in matters vital to the Nation's welfare, I must be true to my own convictions.

—

If the people knew the petty jealousies and the selfishness that animate officialdom, their patriotism might be staggered.

—

I never placate an enemy.

—

While every man owes a portion of his time to the public, a poor man is foolish to pursue politics through the earning period of life, and thus approach its end in regret and poverty.

—

The professional politician, like the professional gambler, always loses the big stake if he plays the game long enough.

—

One of the important principles of our Government is to minimize the influence of selfishness in its actual administration.

—

The Constitution is too often invoked to justify as an individual right what the public condemn as a moral wrong.

—

The traditional devotion of this Government to liberty requires that we pledge a prompt grant of independence to the Philippine people.

—

Nature compensates in part the loss of power that frequently attends old age by inability to realize approaching senility.

In his last campaign he was exhorted by friends to distribute garden seeds and Government documents as a means of promoting his renomination. In the course of a public speech he said substantially:

I have been told that my candidacy would be more popular if I would send the voters garden seeds and documents. This does not appeal to me as a justification for your favor, but if you view the subject differently you will no doubt be gratified to learn that a carload of Government documents and seed is now on the way to Arkansas. I hope, however, that none of you will be influenced by such means to vote for me.

On another occasion he said:

Complaint is made that I do not answer letters. I receive a great many communications that in no wise relate to my public duties; letters that concern the private wishes of some of my constituents. I have answered every letter which I regarded as worthy of an answer, and I inform you now that if I am reelected to the Senate I shall write fewer letters during the next six years than I have written during the last.

The foregoing are reproduced from memory and are incomplete and inaccurate, but they serve to illustrate and emphasize the unusual character of Senator CLARKE's mind and manner.

COURAGE IN THE FACE OF DEATH.

The extraordinary personal courage of this man did not fail him in the face of death. His intimate associates had known for some months before the end that he experienced physical infirmities which occasioned him anxiety. He was aware of the nature of the malady with which he was afflicted—arteriosclerosis—and knew that it was incurable. A few months before his death, contemplating the future, he said to me:

If I could call back ten years, I would propose that we retire from politics and form a partnership for the practice of law; but it is now too late for me to make that change. I am facing the wall.

His face assumed the rigidness of marble, and he concluded with this statement:

I shall end my career in the Senate, and it will not continue long. One of the principal ambitions of my life in youth was to become a United States Senator. My only regret is that I have been unable to so control my labors as to apply my energies unreservedly to the great problems with which I have been called to deal.

Three days before his death Senator CLARKE was stricken in his office with apoplexy, and while being removed to his home in an automobile a young man of my acquaintance passed him on the street. He was sitting upright between two friends. His demeanor was so complacent and unchanged that, although he was dying and could not speak, the young man, mistaking his fortitude for the manifestation of health and vigor, said to me an hour later: "I saw the senior Senator a little while ago. He looked unusually well." Imagine my feelings when I shortly learned that he was being borne to his deathbed. On the following Sunday about noon, surrounded by his family, he passed resignedly into eternity.

Senator CLARKE was endowed with a great mind and possessed an indomitable spirit. His devotion to duty, his adherence to the public interest, and his indifference to censure, which ordinarily deters feeble souls, marked him as an extraordinary man. If he had yielded to the promptings of his generous heart and forgiven the wrongs which his manner invited; if he had cultivated more flowers and planted fewer trees; if he had known more of charity and less of will, his life would doubtless have been happier, but in all probability his public services would have been less fruitful.

Mr. LODGE. Mr. President, the news of the death of Senator CLARKE, which came to us last October with the shock of a surprise, brought to me not only genuine sorrow but a deep sense of personal loss. I never had known Senator CLARKE until he entered the Senate, and I shall not attempt to say anything in regard to his career prior to that time, which can be done much better and with a more perfect knowledge by others. I desire merely to give the impression he made upon me during our years together in the Senate. After we first met in this Chamber our acquaintance soon ripened into friendship. Our service upon the Committee on Foreign Relations gave us subjects of a common interest, and this widened to many others, not only those connected with the work of the Senate but to all the matters, great and small, concerning men and things about which friends are wont to talk. Dr. Holmes says that in every one of us there are three men: John as he appears to himself, John as he appears to others, and the real John. But the real man can be discovered, I think, through his acts and words, and through the comparison and combination of the judgments of others. I can only speak of Senator CLARKE as he appeared to me, and my opinion and estimate may vary from those of others, but this at least I can say, that my judgment of him was neither casual nor hasty.

When the wise men of Northumbria gathered, some fourteen hundred years ago, to deliberate on the new Christian faith to which their King Eadwine had pledged himself, an aged ealdorman said:

So seems the life of man, O King, as a sparrow's flight through the hall where a man is sitting at meat in wintertide with the warm fire lighted on the hearths but the chill rainstorm without. The sparrow flies in at one door and tarries for a moment in the light and heat of the hearth fire, and then, flying forth from the other, vanishes into the wintry darkness whence it came. So tarries for a moment the life of man in our sight.

To all engaged in active pursuits, still more to those of us in public life, there comes a vision of many men and many faces as we flutter through the warm and lighted hall of life. One blurs into another and they pass like the marching hundreds of a great procession and leave only the impression of multitude behind. In Meissonier's famous picture of the Cuirassiers passing the Emperor at the Battle of Friedland there is an overwhelming sense conveyed of a vast mass of charging cavalry, of men with uplifted sabers shouting the cry of onset, and of crowding horses, wild eyed and with wide, distended nostrils. And yet I believe there are only seven men and horses actually and separately delineated; all the rest is the indication and suggestion of multitude by the art of the painter. So, as we unroll the canvas where life has stored its pictures, we seem to hear in the silence the tones of many voices like the "sounds of water falling," to see with the eyes of the mind a great gathering of men and women; but as we look closer we discern that memory, like the great artist, has, with cunning hand, given an unescapable effect of numbers, and yet that there are only a few clearly drawn and finished portraits in her gallery. We soon learn to realize, if we reflect upon it, that this is one of nature's more kindly forms of selection, and that the counterfeit presentments which she leaves, deep graven upon the tablets of

memory, of those whom we have met in life, after the gates of childhood have closed behind us, are not there by accident. It matters not whether we have loved or hated the original, the portrait is there because its subject possessed qualities which could neither be blurred by a crowd nor overlooked and disregarded through insignificance.

Senator CLARKE was a man who could not be overlooked. One might like or dislike him, but it was impossible to disregard him. He had an arresting personality. For my part, I liked him from the first, and as the years passed my feelings changed from liking to affection, and with the affection was mingled much genuine admiration. He was, of course, an able man. His success in life and the offices he held demonstrated his abilities. But there are many men of ability and industry who are not interesting and who lack the character and qualities which command admiration, even if it is accorded with reluctance. Senator CLARKE was interesting. That fact I soon discovered, and I was struck very early in our acquaintance with the alertness of his mind and with his keen sense of humor. His mind worked with really extraordinary rapidity, and when this quickness of comprehension was found in combination with humor it is hardly necessary to add that he was a sympathetic companion. He talked extremely well, and that which was best about his talk was that it was all his own, for, so far as my observation went, he almost never indulged in anecdote, which he shunned, I think, because the long-drawn story bored him, and he was bored, it seemed to me, rather easily. It is no doubt an amiable trait to suffer bores gladly, but the man who does not do so—and Senator CLARKE did not—is pretty certain never to be tiresome himself. Another quality which made him attractive was his intellectual honesty, whether he was dealing with men or events, and he was singularly free, in forming and expressing his opinions, from the prejudices of either locality or environment, which usually mark the village outlook and the parochial mind.

With his intellectual honesty went almost necessarily intellectual courage. He never retracted or fell back from his own beliefs or conclusions. His moral courage was on the same plane. I have never seen a man in public life more wholly courageous in all public questions, whether political or otherwise. I do not say this because on several rather conspicuous occasions he voted against his own party. This is not uncommon, and often requires courage, although at times it is due to very different motives and qualities. I have recognized and appreciated his courage when he was against the views I held quite as much as when we were in sympathy. Sometimes it has seemed to me that the position he took was simply perverse, but the courage with which he maintained it was just as clear as in any other case. He never feared to stand alone. Intellectual or political solitude had for him no terrors, although he was by no means a solitary man and liked and depended upon the society of his friends. He had a hatred of base compliance and of timidity, especially moral timidity, and this led him perhaps at times to extremes and to the occasional apparent perversities of judgment of which I have spoken. But however much one might differ from him, it was impossible not to respect him. By force of intelligence and character he came to a high place in the Senate, and no one ever doubted that he was a man of power with whom it was necessary to reckon. His death leaves a gap in our public life not easily filled, and has caused a break in the friendship of many of us which will always be remembered with affectionate sorrow.

I have only attempted to give the merest sketch of Senator CLARKE as he appeared to me. It has, I think, at least this merit, that it is entirely true so far as I saw and knew him, and I know that he would have preferred the truth to be spoken. Oliver Cromwell, when Sir Peter Lely proposed to leave out the wart in the portrait, said, "Paint me as I am." This, I am sure, would be Senator CLARKE's wish, and this is what I have tried to do, but I am well aware how imperfect any sketch must be. I have sought only to give an impression of the man and to point out his most salient attributes, but the quality for which Senator CLARKE commands especial commemoration, the one for which he should long be remembered, was his complete courage shown in a time and place and in a mode of life where we are not overburdened or oppressed with that high virtue. He had an intellectual courage which never faltered before the conclusions reached by his reason; a moral courage which never shrank from loyalty to his convictions and his sense of duty; a high personal courage to which the fear of any man or any body of men was not only unknown but impossible. It is thus that I have read the character and the qualities, both intellectual and moral, of the friend whose death I so deeply and sincerely mourn.

Mr. BRYAN. Mr. President, we remember many of our public men only because they were successful in politics. We think of the office, and then, by the association of ideas, figure out who held it at a given time.

Senator CLARKE's life was crowded full of political honors. Yet I always think of him first, and of his office afterwards, if at all.

His fame will rest not upon the fact that he was governor and United States Senator, but upon his individuality.

He was well equipped for public life. He had ability; he was industrious; he hated shams; he was mentally honest; he had convictions and the courage thereof.

He was not provincial, but, on the contrary, comprehended the rights and interests of the whole country, as to which he was remarkably well informed. Moreover, he loved his country and its institutions.

If Arkansas honored him, he was an honor to Arkansas. If the Senate honored him, he was an honor to the Senate.

In his death Arkansas has lost a distinguished Senator, the Senate has lost one of its leading Members, and the country has lost a real statesman.

Mr. HARDWICK. Mr. President, those who knew Senator CLARKE best admired him most, respected him most, and loved him best.

Impetuous as Rupert, he was just as dashing, just as brave. The Harry Hotspur of senatorial debate, he was always a Chesterfield in his manners and in his bearing. Possessing a superb mental equipment, he had also that far more rare and precious gift of the gods—an unflinching courage, both physical and moral, that does not leave a man even in the dark hour that immediately precedes the dawn, that makes him a marked man among his fellows, a leader in Israel.

It is not my purpose to speak at length or with detail of Senator CLARKE's long and distinguished service in this body. Others who have served with him longer may do so more appropriately. If, however, I may be permitted to summarize in a word the one predominant feature of that service, the crowning virtue of his great public career, I should unhesitatingly say it was "independence"—independence of thought and action, of mind and character. His figure stood out in splendid and startling relief from the drab background of smooth complacency, of easy and frequent surrender of principle and conviction that is so characteristic of modern politics and of modern politicians, the greatest and the boldest and the truest and bravest American Senator of recent times, man of his own mind, captain of his own soul, acknowledging no master save the God he worshipped and the great constituency whose commission he held.

To my mind he was, first, last, and always, the splendid prototype of the Roman Senator in those early days when the glory of the seven-hilled city first began to fill the world, and when chiefest among those glories was the spotless integrity, the profound wisdom, and the lofty patriotism of its Senate.

Senators, we both miss and mourn our erstwhile associate, our late colleague. His dauntless soul has lifted at last the veil that enshrouds immortality, and the secrets of the beyond are bared to his inquiring mind. No tremor of fear ever challenged his manhood in life, and we may be assured that he went unafraid to meet his Maker and his Judge. His great public services have become a part of the heritage of his countrymen, and the memory of his glorious courage remains with us to cheer us and to inspire us when at times the path grows thorny and the feet begin to falter.

May God assoil his soul and may we meet him again in that brighter and fairer land where hypocrisy and cowardice are not and where only the true and the pure in heart keep the altar fires alight.

Senators, I loved him, I miss him, I mourn him.

Mr. GALLINGER. Mr. President, a great lawyer, an eloquent advocate, a fearless defender of his principles, a man of strong likes and dislikes, JAMES P. CLARKE belonged to a class of public men who have contributed largely to the advancement of the things that most vitally concern the dignity and welfare of our country. Others will tell of his remarkable achievements as a citizen of Arkansas. It is sufficient for me to say a few simple words as to my knowledge of the man as a Member of this body.

Senator CLARKE entered the Senate March 9, 1903, and died October 1, 1916, shortly after he had been elected to a third term. As a Senator, he was noted for his integrity of character, fearlessness in debate, and independence on the great public questions of the day. Elevated to the high office of President pro tempore of the Senate, he discharged the duties of that position with absolute impartiality. No member of the minority had

any reason to fear that he would not be protected in every right that belonged to him or that the rules of the body would not be administered in a most scrupulous manner.

Impatient in speech and militant in manner, Senator CLARKE took a high rank as a debater, demonstrating his great knowledge of the traditions of the Senate and of the fundamental principles of both national and international law.

Senator CLARKE, in common with other Members of the Senate who have been here a long time, was a firm believer in free and unlimited debate and vigorously opposed all attempts at cloture, no matter what form they might take. "This is the only tribunal on earth," said he at one time, "where there is unlimited debate, and there is no question of relevancy here except what is designated in the rules."

On another occasion the advocates of cloture attempted to take a long step in the accomplishment of their ends by demanding that a Senator must confine his remarks to the question before the Senate. Senator CLARKE was quick to voice his objection to such a course, declaring that if the rule were applied that a Senator must confine his remarks to the proposition which the Senate had before it "it would depopulate the Senate and absolutely doom some of us to eternal silence, if we had to talk directly to questions that are pending." He believed that Senators should be allowed to follow their own methods of debate, and not be required to speak with the knowledge that they might be interrupted at any time by another Senator in whose opinion their remarks were not relevant to the subject under discussion.

As President pro tempore Senator CLARKE was confronted with many situations which would have seriously embarrassed a weaker man, but he met them all with courage, and inexorably applied to each case the rules of the Senate as he interpreted them. He was an exponent of the theory that Senators present but not voting should be counted if it was necessary to establish the fact that a quorum was present. He many times, while in the Chair, put that principle into effect, and unhesitatingly announced the presence of a quorum even though it had not been shown by the vote.

Senator CLARKE was a close student of public affairs, particularly those involving legal questions. He spent many hours in the Library of the Senate examining the reports of the Federal Courts and the records of previous Congresses for material on which to base his instructive addresses to the Senate, which always commanded the close attention of his colleagues. His death left a gap in the Senate that it is difficult to fill, and he will be missed more and more by those of us who knew the man and appreciated his splendid qualities of heart and mind.

Mr. SAULSBURY. Mr. President, 35 years elapsed between the time I first knew JAMES P. CLARKE as a law student at the University of Virginia and the time we renewed our acquaintance in the Senate of the United States. CLARKE was a young man of 24 and I was a boy of 16 when we first became acquainted. He was recognized then at the university as a strong, able, self-willed, determined man. I was a young boy in the academic department, and naturally I felt it a privilege to be acquainted with him and have him take some interest in my welfare. The boys at the university predicted that CLARKE'S ability would carry him far, and they were not in error.

Those of us who have had strenuous experience in the political field know that a man who serves in his State house of representatives, thence goes into the State senate, becomes attorney general of his State, is chosen by his people as their governor, and then elected to the United States Senate for three terms not only has great ability, determination, and all qualities that go to make up leadership but that he has impressed his work and attainments thoroughly upon those who have the opportunity to know him best—the people back home.

It is doubtless a great satisfaction to a man of Senator CLARKE'S preeminent ability to have that ability recognized in the wider field of national politics, but when your constituents time and again have shown their high appreciation, as the people of Arkansas did in the case of Senator CLARKE, one can have the double satisfaction of knowing that back home, where men are weighed in different scales, the constant support and appreciation shown by them leaves no real terrors for a self-reliant, conscientious representative of the people when, perchance, defeat may come to him, and he returns to pass the remainder of his life among them. Kipling has expressed his thought in a way which seems to me as striking as any I have heard:

> Old Nineveh town has nothing to give
> For the place where a man's own folks still live;
> He might have been that or he may be this,
> But they love him and hate him for what he is.

I have no doubt from my own knowledge of Senator CLARKE that he had his full share of loves and hates, but I have never known a man who was more absolutely self-reliant, willing to meet any contest forced upon him or which he forced upon his antagonists, and, personally, I can not conceive that in any of the stormy episodes of his career he ever gave or asked quarter. Dispositions differ, so that traits like these may seem admirable or not, but no one fails to admire the man of great ability and courage grappling with whatever questions may be presented, entering fearlessly into whatever conditions he may have to undergo, and throughout it all exhibiting, as Senator CLARKE did, an independence of thought, character, and action which many would be proud to emulate.

Some time before his last reelection Senator CLARKE said to me that he had never been satisfied fully with his career in the Senate, and that he hoped, if reelected, he would be able to devote himself to the larger questions of statesmanship which had been too much in his life interfered with by the urgent claims of practical politics. He said to me that he intended during the balance of his political career to take a more active part in the consideration of questions of wider importance than he had been able to do during his prior terms, and I attribute to this intention the very prominent part he took in the consideration of the Philippine bill, where his proposal of early and certain independence became the storm center of that important measure, around which practically all debate revolved. I approved of Senator CLARKE'S conception of the right treatment of this matter, and feel sure that this was one of the larger questions affecting the future welfare of our country to which he had given most careful consideration and, as usual, regarding which he reached the right conclusion.

Senator CLARKE'S powers did not show any signs of failure; his services in this body ended probably at the height of his intellectual powers. He had become a national figure, and achieved that position through intellectual ability. Those of us who lived here on terms of friendship with him admired and respected him as one of the great figures in this body. His State honored itself and him in the selection, as one of her Senators, of this man of dominant personality, and those of us who knew him well will long hold him in remembrance, in the highest esteem and regard.

Mr. BORAH. Mr. President, it has been said that republics have a tendency to make moral cowards of public men. It may be so, but if so, the man to whose memory we pay tribute to-day was a splendid exception to the rule. This tendency did not leave its impress in any way upon his labors here. He was one at least who examined all questions upon their merits and followed without anxiety or apology the course pointed out by an untrammeled conscience and a well-trained mind. Firm in his purposes, fearless in the advocacy of his opinions, he belonged to that splendid breed of men who mold rather than follow public opinion—the only true servants of the people, the real defenders of democracy. Neither prestige, precedents, nor popular outcry disturbed him in the least when once he had made up his mind as to the justice of a cause or the truth concerning the subject in hand. No man had a keener or more accurate scent for the specious and insincere, none more adept and ruthless in striking the mask of patriotism from the face of selfishness and fraud. That confusion of plan, that sudden change of procedure, that drive forward to-day and retreat to-morrow which ever accompanies the course of those who consult expediency rather than truth constituted no part of his public service. He did not belong to that class of modern statesmen whose capacity to discern the drift of popular sentiment has been developed at the expense of the higher and nobler faculty of discerning the sound from the unsound, the temporary from the permanent, or that which satisfies the demands of the day from those great truths which contribute to the permanent happiness and power of a people. His independence was the constant admiration of his colleagues, his moral courage was superb.

We have all often read how at a time when things seemed going against the plan to formulate a constitution and create a government, Washington uttered these words:

> It is but too probable that no plan that we can propose will be adopted. Perhaps another terrible conflict is to be sustained. If to please the people we offer what we ourselves disapprove, how can we afterwards defend our work? Let us raise a standard to which the wise and honest can repair. The event is in the hand of God.

Underneath these words it is not difficult to discern that abiding belief that in the final disposition of things the people will measure up to and approve the best plan that the bravest and best intellects of the age can give, and such a belief is the bedrock foundation upon which the higher faith in popular

government is built. These words of Washington ought to be written above every legislative hall in our land. Upon any other principle the Republic will ultimately break down. The common mistake which we are all prone to make is in underrating the wisdom and patriotism of the people. They may not always discern in the first instance the wisest and the best, but they never ultimately reject the truth when the truth is pointed out. Those who do not believe that the people are capable of indorsing and approving the wisest laws and sustaining the most efficient institutions which the best minds and bravest hearts can give them do not really catch the true principles of popular government at all. They have been lured into time-serving paths and missed entirely the larger outlines of the great faith. I can pay no higher tribute to our departed colleague than to say that he walked in manly fashion in the light of these principles. He believed that that which was wise would ultimately win, and that though not popular to-day a measure founded in reason and justice would be popular to-morrow. He was willing at all times to wait for vindication in case it was not at hand, and he did not worry about the lateness of its arrival. He believed in the eternal law of right and wrong and by it tested all other laws. If the majority approved he was gratified. If not he was not dismayed. He knew there was something of the reptile in the man who crawls whether at the bidding of a prince or a president, something of the intellectual slave in the man who surrenders his conscience to the control of others, whether to a king or a multitude. In this body JAMES P. CLARKE represented himself. The vote he cast was his vote, and yet there were among our membership no truer man to popular government, no firmer advocate of the just and the humane than this self-reliant and upright Senator.

Mr. President, a few years ago one of the most attractive men of the South came up into a northern State and told us of a "new South." No one can forget the thrill of joy which the rich tones of Grady's voice sent to every loyal heart in the land. Old chords were touched by a wizard hand and gave up again the strains of nationality. The music of the Union of the old days when, as Webster tells us, Massachusetts and South Carolina stood about the administration of Washington, drowned for years by the din of civil conflict, rang strong and true again all the way from the plantations of the South to the miner's cabin on the slopes of the western mountains. The brilliant Georgian sounded a note sincere and true. I have no doubt that here and there sleeping in southern bosoms may be found something of the old prejudice which some untoward act might arouse; I have no doubt there are still those in the North who are unable, honestly unable to free themselves from the strong feelings engendered by the stress and strain of those terrible days. We neither quarrel with nor criticize those people. But if I mistake not there is not only a new South but a new North—a North which has finally torn from its heart the old feeling of suspicion and hate and which has finally come forward to the place where Lincoln stood at the close of the war, a North which realizes deeply and profoundly that the South more than any other part of the country must deal with that peculiar problem of which no one can think without a tremor of doubt—a North which no longer boasts of being better prepared to deal with this great problem than those upon whom the greater portion of the burden rests. Senator CLARKE represented this era of rehabilitation, this period of a truly reunited and disenthralled country. He rose easily, naturally, and without ostentation, above locality, above section, and oftimes above party. His vision and his purposes included his whole country, his patriotism in scope and sympathy was commensurate with the Nation as a whole. He resented the limitations of prejudice and broke away from all restraints which the past would put upon his truly national spirit.

It would prolong these remarks too far to enter upon a discussion of the details of his service here, his exceptional ability as a lawyer, his wide and most accurate information upon all public questions, the dignified and impartial manner in which he presided over this body. I conclude by saying that he was in every sense a great Senator, an honor to the great State which he so faithfully represented, and commensurate in integrity and ability to the responsibility attaching to his position in the highest legislative body in the country. In these crowded tragic days we do not long reflect about the things that are gone by nor often hark back to our colleagues who have passed on, but everyone who served with him misses from our midst this strong, resolute, indomitable, historic figure.

The VICE PRESIDENT. Without objection, the resolutions offered by the Senator from Arkansas will be considered as unanimously adopted.

MEMORIAL ADDRESSES ON THE LATE SENATOR SHIVELY.

Mr. KERN. Mr. President, in pursuance of the notice heretofore given, I offer the resolutions which I send to the desk.

The VICE PRESIDENT. The resolutions will be read.

The Secretary read the resolutions, as follows:

Senate resolution 364.

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. BENJAMIN F. SHIVELY, late a Senator from the State of Indiana.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. KERN. Mr. President, when it was announced in the Senate on the afternoon of the 14th of March last that the distinguished senior Senator from Indiana had passed out of life in Providence Hospital in this city but a few moments before, there was sorrow, sincere and profound, on both sides of the Chamber. While all realized the loss of one of their ablest and most honored associates, there were very many Senators who mourned the loss of a friend for whom they entertained feelings of the most affectionate regard.

The sad intelligence was not unexpected here in Washington, for all were familiar with the brave and heroic fight for life he had been making for more than a year, and many had been witnesses to the dreadful suffering he had endured and the matchless fortitude with which he had so long fought the losing battle.

And when the message announcing the end of this honorable and useful life was flashed across the mountains to the great Commonwealth whose Senator he was, the expressions of sorrow were universal, and from the lake to the river there came up from the people—men and women of all parties—the strongest manifestations of their deep appreciation of the splendid services rendered by their great Senator, who for so many years and with such great ability and rare fidelity, had represented them first in one and then the other branch of the National Congress.

He was born in Indiana—born and brought up on an Indiana farm—and until he attained his majority his life was spent in the midst of the good country people of his section, working on the farm in the summer, first attending and then teaching in the common schools in the winter. He knew the nature of their joys and the depth of their sorrows, and by this experience he had first-hand knowledge of the aims and purposes, the needs and desires, the hopes and aspirations of the great body of the people whom he was afterwards to serve with such distinction, and it was this knowledge thus acquired which made of him such an effective champion of popular rights.

He loved his native State and in return her people honored him and ungrudgingly gave to him the highest proof of their confidence and esteem, so that when the end came there was universal sorrow throughout the State for one of her best-loved and most distinguished sons was "gone forever and ever by" and the face and figure so well known of all were never more to be seen amongst men.

BENJAMIN FRANKLIN SHIVELY was born in St. Joseph County, Ind., on the 20th day of March, 1857. He never resided elsewhere, and his body rests in the soil of his native county within a few miles of the place of his birth.

His father, Rev. Joel Shively, was a minister of the Gospel, his mother a devoted Christian woman, so that he was brought up under the influence and within the environment of a Christian home. His youthful experiences were those of the average farm lad in the Central West, working on the farm in the summer and attending the common schools in the winter until his eighteenth year, when he became a teacher in the schools which he had attended as a pupil, and continued to teach in the winter seasons for several years, until 1880, when he engaged in journalistic work until 1884, in the meanwhile giving some time to the study of law.

His entry into the political field was under circumstances somewhat remarkable. In 1884, the year of the great Cleveland-Blaine campaign, Hon. William H. Calkins, who had represented the South Bend district in Congress for several terms, received the Republican nomination for Governor of Indiana, and resigned his seat in Congress.

For the long term the Democrats of the district had nominated Hon. George Ford, a very able lawyer, of South Bend, now the judge of the superior court of that county. After the resignation of Mr. Calkins, it became necessary to nominate a candidate to fill out his unexpired term. As St. Joseph County

was the home of Mr. Ford, already nominated for the long term, the nomination for the short term would in the natural course of politics have been given to a citizen of some other county, for there were several counties in the district, and in all of them were men of such ability and distinction as to have made creditable and formidable candidates. But the attention of many had been attracted by the journalistic work of young Shively, who since his majority had affiliated with the organization known as the Greenback Party—being made up in Indiana of men of character and ability, who believed with many men of both of the old political parties in the quantitative theory of money, and many of whose views as to the proper status of the greenback under the law were afterwards approved and vindicated by the Supreme Court of the United States.

As young SHIVELY's sympathies in the presidential campaign were known to be with Cleveland as against Blaine, and he had shown much ability in his newspaper work, the party leaders concluded that it would be the part of wisdom to enlist his active service in the campaign, and the nomination was tendered him and accepted, and after a brilliant and aggressive canvass he was elected and served out the unexpired term, which ran from December, 1884, until March, 1885. He was the youngest Member of Congress, but by his manly bearing, modest demeanor, and the ability shown in committee and on the floor. he won the confidence and regard of all, and a career of great usefulness was predicted for him by many party leaders.

At the end of this short term he entered the law department of the University of Michigan to continue his preparation for the legal profession and pursued his studies so energetically and successfully that he was graduated with the degree of bachelor of laws during the next year.

The district was normally Republican by a considerable majority, and prior to 1884 had been represented by a Republican for many years; so in 1886 the Republicans resolved to redeem it if possible and named as their congressional candidate their strongest man, Gen. Jasper Packard, a gallant Union soldier, a skilled debater, and seasoned politician.

Mr. SHIVELY's record, during the short term he had served was so satisfactory that he was given the Democratic nomination without opposition. A series of joint debates was arranged, and a most interesting campaign inaugurated. Great crowds greeted the candidates at these joint meetings, and intense interest was manifested. Young SHIVELY more than met the expectations of his friends, and was hailed everywhere as the champion of the young Democracy of the State. Although the Republican State ticket carried the district, he was elected by more than a thousand majority, and his reputation as an orator and debater was firmly established.

He was reelected in 1888 and 1890, and though the unanimous choice of the party in 1892, declined the nomination, that he might engage in the practice of his profession.

It was while serving his third term in Congress that he married Miss Laura Jenks, daughter of Hon George A. Jenks, a distinguished citizen of Pennsylvania, who was Solicitor General of the United States during the first Cleveland administration. Three children were born of this union, George J., John J., and Mary M., all of whom are living and giving promise of lives of usefulness. Senator SHIVELY was tenderly devoted to his family and home.

In 1896 the Democratic Party of Indiana, by a well-nigh unanimous vote, gave to Mr. SHIVELY the nomination for governor of the State. It was a most exciting contest. From the time that Bryan made his great convention speech at Chicago, there was not a day that was not full of dramatic interest in the Indiana campaign. SHIVELY was at his best. His oratory was second only to that of Bryan, and under the inspiring leadership of these two young champions of popular rights there was such a rallying of the hosts as has never been witnessed since.

SHIVELY was at the very forefront of the battle every day. Handsome in person, commanding in presence, with rich and resonant voice, and genuine oratory born of deep conviction, he sounded the trumpet call, and the very earth was trembling for weeks beneath the tread of the marching hosts of the people.

He went down in defeat, but it was an honorable, if not glorious, defeat. His splendid leadership was everywhere acknowledged, and he was given the complimentary vote of his party for United States Senator, while it was in the minority, and in 1909, when, for the first time since 1893 it had the opportunity to confer the honor, it nominated and elected him to the position, which he filled so honorably and with such distinguished ability to the hour of his death.

Senator SHIVELY's great ability as an orator was recognized throughout the Union, and in every campaign there were demands for him in all the debatable States, and from New England to the Pacific coast he had been a commanding figure in the field of campaign oratory.

His record in both Houses of Congress was an enviable one. Whether in the committee room, in the executive departments, in legislative work upon the floor, or in the party councils, he was always strong and effective. He rose to membership on the Ways and Means Committee of the House at a time when the tariff question was paramount and became at once conspicuous and influential in shaping the tariff policy of his party, and his addresses in both Houses on that subject were equal to the best ever delivered by any of the great party leaders.

In the Senate he served with great distinction on the Finance Committee and that on Foreign Relations and was chairman of the important and busy Committee on Pensions. During the long illness of Senator STONE he was acting chairman of the Committee on Foreign Relations and at a time when questions of great international importance were perplexing the President and the country. He proved himself equal to the great work and commanded the confidence and admiration of the President and Secretary of State, both of whom frequently sought his counsel and prized highly the very important service he rendered them.

I came to the Senate in 1911 without legislative experience and at once sought the advice and aid of my distinguished colleague. He gave me both ungrudgingly and unselfishly, and our relations up to the day of his death were of the most cordial character. He was deeply solicitous that there should be harmony of action between us, and on all important questions we conferred fully, so that, if possible, we might act and vote in agreement. As a result we kept in perfect accord, our only division of opinion being on the literacy test of the immigration bill, and, as we conscientiously differed on this point, there was not the slightest friction.

In the recommendations we were called upon to make for appointments to office he was generous to a fault, and, although we had scores of friends, applicants for the same position, we never had the slightest difficulty in arriving at a satisfactory result.

It was at Senator SHIVELY's suggestion that I was made a member of the Finance Committee of the Senate within two months after I became a Member of this body, and it was on his motion two years later that I was made chairman of the majority conference.

He was a man of great heart and noble impulses, a statesman of profound learning and exalted patriotism, and he has been and will be sadly missed in the councils of the Nation.

He was my friend, and I shall never cease to honor his memory. May he rest in peace.

Mr. NELSON. Mr. President, Indiana is one of the great States carved out of the "territory northwest of the Ohio River." It was given a Territorial government in 1800, and became a State in 1816. Barring a few scattered French hamlets, most of the pioneer settlers of Indiana came from two sources, the earliest—and perhaps the greatest number—came from the States south of the Ohio River, and among this class was the family of Abraham Lincoln. This immigration was supplemented by a considerable number from the Eastern and Northeastern States. This double source of immigration led to a slight cleavage on the question of slavery at an early period in the history of the State, for, although the ordinance of 1787 had prohibited the "institution," yet an effort, which had no great strength and soon collapsed, was made for its retention. This double ethnic source from which the population of the State has sprung has no doubt, to some extent, led to the many hot and close political controversies which have prevailed, so that, politically speaking and from a party standpoint, the State has for upward of three-quarters of a century been regarded as a so-called "close State." The result of this political contention, ever recurring, has been to breed from time to time a large number of able statesmen and versatile and eloquent orators in both of the great political parties. The political battles have always been strenuous and acute, and have called for and produced aggressive and militant leaders on both sides. There has not been much room, as a rule, for such political leaders as are sometimes called "political accidents." To become a political leader in such a State and under such conditions real and substantial ability and energy are required. Mere ancestry or wealth is of little consequence.

The fact that our late colleague, Senator SHIVELY, became one of the leaders of his party in the State of his birth, and the State which he so ably represented in this body, is ample proof of his integrity, his ability, and his qualifications as a leader.

He could not have attained the prominence and leadership that was his without ability of a high order. He was not born in the lap of luxury and had no strong friends at court to give him a start in life. By his own efforts, and without help from outside sources, he managed to secure a fair education, and was admitted to the bar as a practicing lawyer. During his earlier years, while he was engaged in securing his education, he taught school, worked on the farm, and did other strenuous manual labor. Among other work in which he had been engaged in those earlier years, he informed me that during one season he operated a thrashing machine among the farmers of Wabasha County, Minn., and he seemed highly pleased with his experience in that line of activity.

Most of the bright, brainy, and active young men in the State of Indiana naturally turned to politics, and this was the case with Senator SHIVELY. At the early age of 26, in 1883, he was elected a Member of the Forty-eighth Congress and was reelected to the Fiftieth, Fifty-first, and Fifty-second Congresses. It was my fortune to be an associate of his and to serve with him in the Forty-eighth and Fiftieth Congresses. He was one of the youngest but most active Members of that body. Few Members, if any, were more prominent than he when serving their first term. During that early period of our service we boarded at the same hotel, when I became intimately acquainted with him not only officially but socially, and I found him to be a most genial, warm-hearted, and sympathetic companion.

He was very industrious and attentive to public business, and during the latter part of his service in the House he ranked among the more prominent Members of that body. During the Fifty-first Congress he was a member of the Committee on Banking and Currency and the Committee on Indian Affairs, both very important committees; and during the Fifty-second Congress he was a prominent member of the Committee on Ways and Means.

On leaving Congress he resumed the practice of law. But his ability as a political leader and speaker soon brought him again into the political field, and in 1896 he became the candidate of his party for the governorship. While he failed to be elected, he nevertheless polled his full party vote. After an interregnum of 13 years, during which time he was busy in his profession as a lawyer, though not inactive in politics, his party in 1909 elected him a Member of the Senate, and in 1914 reelected him for a second term of six years, but it was not his fate to be permitted to serve out his second term. He passed away from this life, after a lingering illness, on the 14th day of March, 1916, during the early part of the first month of the second year of his last term, in the 58th year of his age, mourned and missed by his family, his State, his party, and his associates in this body.

Senator SHIVELY was a member of many of the important committees of this body, the most notable of which were the Committees on Finance, Foreign Relations, and Pensions. He was chairman of the Committee on Pensions, and the next in rank to the chairman of the Committee on Foreign Relations and occasionally acted as chairman of that committee. His service in the Senate was marked by the same industry and energy that had characterized him in the House of Representatives. He was serious, conscientious, painstaking, and thorough in his work and was a disbeliever in mere perfunctory service. While not an orator in the common acceptation of the term, he was nevertheless a good and ready debater, who could give and take blows.

While it was not my privilege to hear him on the stump, from what I know of him I can well imagine that he was a strong and effective campaign speaker, whose words, coming from an honest and sincere heart and delivered without any flourish or blare, went home to the heads and hearts of his hearers. It is the man back of the word that makes the word effective and impressive. It seemed to me as though his early struggles had given a color and tone to the entire make-up of his life. There was something intensely human and sympathetic about him. Here in the Senate, as among his neighbors at home, he was always the plain, bluff BEN SHIVELY, without any frills and without an eye on the reporters' gallery. He seemed to be as proud of the fact that he had once run a thrashing machine in Minnesota as of the fact that he was one of the political leaders of his State and a prominent Member of this body.

He was a man of high character, honest, fearless, and brave—a man in whom his party had implicit confidence, and a man whom we all could trust. "BEN SHIVELY'S" word was current and good among all who knew him, here and in Indiana. That State has furnished our country with a number of great statesmen, ranking with the foremost in the entire Nation. While the deceased Senator could not perhaps be rated with the foremost of these, he was, nevertheless, near them, and as near the heart of the people of his State as any of them, typical of the brawn and brain, the soul and the heart, of the great body of the people of his State. Friend and brother, we bid thee a sorrowful and final farewell!

Mr. STONE. Mr. President, my affection for BENJAMIN F. SHIVELY was so deep and personal and my bereavement at his sad, untimely end is so poignant that I would prefer to sit silent to-day. I say this because when I stand at the grave of one I loved and whose memory is very dear to me mere words become as sounding brass, empty and comfortless. At such a time, except for the hope we have about things shadowed in the mysteries of the great beyond, there is little in speech to soothe or inspire. True, this beautiful hope to which we cling does soften the blow, and there is inspiration in the example of a great life, but the profound regret which grips the heart goes on to the end with little surcease of sorrow. When I stand in the présence of beloved dead my heart calls more for meditation and the tribute of silence than for public utterance. And yet, in the circumstances of this ceremony I feel constrained to join with others here and speak a gentle word or two about my friend who is gone.

Mr. SHIVELY was a man of high ideals. There was nothing even small, much less mean, about him. He was incapable of littleness. He was kindly, but firm; genial, but not fulsome; frank, but reserved; loyal, but not boastful; clean in mind and heart, but human and considerate; fearless as any knight who ever poised a spear, yet gentle as a woman; intellectual in a high degree, endowed with great powers of analysis and with comprehensive mental scope, he was modest and unpretentious. In the full vigor of his strength, before the wasting came, he stood as a king among men and made a superb and pleasing picture to look upon. I shall not say that we may not see his like again, but this I do say, that all in all there never lived a more manly man.

His public life, although cut short by fate with seeming cruelty, covered many years of distinguished service. He was a marvel of studious industry and profoundly conscientious in all he did. When he was at the helm we knew the pilot was fit to steer the ship. His work will stand as a shining monument to his fine intellect, his patient toil, and his stainless patriotism.

But he is gone. Never again will we feel the pressure of his hand or behold the flash of his eye or the smile upon his lips. He has gone from the transitory scenes of mortal life into a sphere of nobler activities. He has trod the unlit path that most men dread and passed on through the gateway leading into the light beyond. Of one thing I am sure—that no man ever entered upon this starless pathway with braver heart, and few have better deserved the welcoming song of the Angelic Choir as they stepped from the darkness into the sweet sunshine of the eternal Summer Land. And thus I part from dear "Old Ben" with this salutation—Hail and farewell!

Mr. SMOOT. Mr. President, to all those who enjoyed the privilege of knowing the late BENJAMIN F. SHIVELY, a Senator from the great State of Indiana, the best tribute to his memory is an unblemished narrative faithfully describing his rare qualities of character and intellect, as has been done so splendidly by the speakers preceding me. They have portrayed him as he was in life; yet his own works speak more eloquently for him than words of mine can do. I served with him for a number of years on the Committee on Pensions of the Senate and learned of his sympathy and friendship for all those who offered their lives for the preservation of the Union. He never failed to speak or vote for a proper recognition by the Government of the services of the veterans of the Civil War.

His eloquence, his energy, his personal magnetism, and honesty made him a leading and interesting figure upon this floor. To my mind, the most marked characteristic of this worthy man may be summed up in the simple expression, "He was an honest man." By honesty I mean more than a sense of obligation designated as commercial honor; I mean more than a mere sense of duty to obey law and to discharge legal obligations. That is superficial honesty; that is honesty which springs of policy, and may be forced by intellectual recognition of its advantages. Real honesty is a gift of God worked out in those infinite processes which compose the law of heredity, and under all circumstances, under all environments they will work out true results. BENJAMIN F. SHIVELY was a man of such honesty; a man inherently honest, as every man who knew him must testify to. In his public life no person would have dared by any form of allurement even in the remotest degree to attempt to influence him in the discharge of his public service.

He was called to the beyond in the prime of life, leaving many dear friends who were grieved by the loss of one of the best and most loyal friends, one of the most genial of our distinguished public men. He left to his family more than a princely fortune could bring, because he left behind what all right-thinking men must admit was a successful life, such as thousands of American boys compelled to rely upon their own resources can look to as a model and demonstrating the fact that fortune and business success are open to all in this our beloved America, and may be achieved without wronging a single soul.

Our hearts go out in sympathy to the immediate family and relatives of the late Senator. May the Lord be their comfort! It is but natural that they should feel the pangs of parting; yet there is solace in the knowledge that he was a child of God and that though he has passed out of view for a short time he still lives and is but waiting for his loved ones to rejoin him under more favorable conditions. Let us rejoice in the thought thus expressed by a poet:

There is no death! The heavens may fall,
The flowers fade and pass away,
They only wait through wintry hours
The coming of the May.

There is no death! An angel form
Walks o'er the earth with silent tread,
He bears our best loved ones away,
And then we call them "dead."

Born into that undying life,
They leave us but to come again.
With joy we welcome them the same,
Except in sin and pain.

And ever near us, though unseen,
The dear immortal spirits tread,
For all the boundless universe
Is life—there are no dead.

There is no greater tribute I can pay him than to remind those who loved him that he was an affectionate father, a devoted husband, a faithful friend, a fearless and conscientious public servant. In short, a remarkable national character and a good man.

Mr. WILLIAMS. Mr. President, for one reason, at any rate, I would prefer to have gone to that "bourn whence no traveler returns" before Senator SHIVELY went. I would have had a nobler eulogist in him than he has in me.

I shall speak to-day only of the salient and essentially chief character-making element that went to the make-up of the man.

This prevailing characteristic was utter personal unselfishness. He loved honor much, honors somewhat, money not at all. He dwelt, in thought, less upon his private affairs than upon the public business—the res publica, the Republic. It was his thought, his study, his conversation, almost his life. This unselfishness kept his purse empty, but it made his character noble, and kept him unstained in motive.

If he did not "love his enemies"—a hard saying of the gentle Nazarene—he at least loved his friends and served them better than he loved and served himself.

It was said of the French noblesse of the ancien régime that they had proved in a thousand ways and in a thousand places that they "knew how to die like gentlemen," but never that they "knew how to live like men." BEN SHIVELY proved that he knew how to do both—he did both.

From that part of the duration of things which we call Time, and in which we live here, many loving hands are extended unavailingly to him where he stands in that other part of it, known as Eternity—my own hand—I, sorrowing, among them.

Some day he and the other friends who have "crossed over the river" will beckon us over, and we, obeying their call, with vague dread of things unseen and therefore unknown, will go; and the handclasps will come, the spirit of them to endure forever.

Until then may the grace of God make us more like him in this—that we may be less selfish, live and think less self-centered, and be therefore better fitted to invoke, in a spirit resigned to life and death alike, the final blessing upon him of the Church Universal. Requiescat in pace.

Mr. KERN. Mr. President, it is greatly to be regretted that the distinguished Senator from Arizona [Mr. SMITH], who was to have delivered an address on this occasion, is by reason of ill health prevented from taking part in these exercises.

The bond of friendship which attached Senators SMITH and SHIVELY to each other was as strong as that which bound Damon to Pythias, or Jonathan to David. It had existed for more than a quarter of a century and increased in strength as the years passed by, so that when Senator SHIVELY died the grief of Senator SMITH was as if his own brother had passed away. His regret at not being able to be here to-day, to pay a tribute of respect to the memory of his dead friend, is only equaled by that of his fellow Senators, who know of the intimate personal relations to which I have referred.

Mr. WATSON. Mr. President, I have not committed to paper any remarks for this occasion, because my observations will be personal rather than general.

The traits and characteristics of this noble son of Indiana have been so clearly set forth by those who have preceded me that but for the fact that I am his successor I should wholly refrain from speech on this occasion.

Mr. President, as the Senator from Missouri [Mr. STONE] so feelingly said but a few moments ago, "Senator SHIVELY is gone." We all realize the full significance of this fact. We know that our pleasing words do not reach his waiting ears; we know that he is as far beyond the reach of our short arms as are the stars that shine above us in the sky at night; we know that he sleeps now in the cold and narrow house, indifferent alike to the careless shallows and the tragic deeps of human life; and therefore it is for the living and not the dead that these exercises are of surpassing moment.

At his bier all tongues were silent, save those of praise; all lips were mute, save those of love; that were sufficient eulogy for his gentle soul; and unless by reciting the traits of character he so splendidly exemplified and which we so highly praise wherever manifested, we ourselves are impressed with the necessity of embodying those same virtues in our lives and characters, then these exercises are but sounding brass and tinkling cymbal.

Born, as the senior Senator from Indiana [Mr. KERN] has said, in 1857, he was 8 years old at the close of the Civil War; hence the fierceness of that great strife must have impressed itself upon his plastic mind. I am led to this belief because Senator SHIVELY was a natural politician. He had great aptitude for the discussion of public questions and an uncommon desire to engage in public debate. This inclination was doubtless greatly increased by reason of the long struggle over reconstruction that followed the Civil War. His boyhood was lived in that atmosphere, and his young manhood was developed under these conditions. First in the common school, then in the college at Valparaiso, then as a school-teacher, and afterwards in the law school at Ann Arbor, he constantly developed the natural tendency of his mind for public debate, until even in those earlier days he became a master of forensic speech.

I well recall the first time I ever heard of him. I was in college, and it was in 1884. Maj. William H. Calkins was nominated that year by the Republican Party for the governorship of Indiana. Being at that time a Member of the other branch of Congress, his nomination created a vacancy. Mr. SHIVELY, then but 26 years of age, or only one year over the required constitutional limit, was nominated by the Democrats as their candidate in the succeeding contest. He conducted that campaign with such skill, such ability, and such assiduity and displayed such remarkable characteristics as a debater and a public speaker that he won in that memorable contest, although the district was normally Republican, and I can well remember that the victory achieved under those circumstances presaged the overthrow of the Republican Party at the final election.

He was reelected to the Fiftieth, Fifty-first, and Fifty-second Congresses; and although he entered that body at the age of 26, he took a leading part from the beginning, and an examination of the RECORD will disclose that Representative SHIVELY was prominent in all the debates relating to the protective tariff system and the Reed rules, which were then for the first time being practiced by the House. It was in this body that he made for himself a reputation as a tariff debater and a foremost champion of free trade, and I believe him to be the ablest exponent of that doctrine that Indiana has produced for many years.

In 1892 he declined a renomination, although unanimously tendered him, and, as he afterwards said to me, "because of the irksomeness of the task of being a Member of Congress" and "because it destroyed systematic reading," for if there was anything of which Senator SHIVELY was passionately fond it was systematic reading. He was by nature a scholar. He roamed at large in all the fields of literature; he plucked its choicest flowers, and in the ample recesses of his memory stored them away to bring them forth on future occasions to please and charm, for he was ever an omniverous reader.

But his people were not content to permit him to remain in quietude, and in 1896 brought him forth to become the candidate of his party for the governorship of Indiana. Being myself in Congress at that time, I remember that I heard him with great interest in that campaign. He was a superb man physically,

with a splendid head, well poised on broad shoulders. He was blessed with a resonant and resounding voice, rich and mellifluous. He had an ample vocabulary not only of Anglo-Saxon words but also of Latin derivatives, and the cogency of his thought, clothed in beautiful language, made him a most formidable antagonist in any campaign.

I recall that in 1896, in advocating the free-silver doctrine of that year, he was, in my judgment, as Senator KERN has so well said, the foremost champion in the State of Indiana of that cause. He was defeated in that campaign, but defeat did not dishearten him. In fact, no contingency ever appalled him, for he was a man not only of titanic mold but of indomitable will, and I did not know him to be discouraged at any time, even in the midst of failing health and waning power.

In 1903 he was the caucus nominee of his party in the legislature for the United States senatorship, being pitted in that contest against Senator Albert J. Beveridge, then a candidate for reelection. In 1905 he was again the caucus nominee of the Democratic Party for the senatorship, that race being against Charles Warren Fairbanks, then a candidate for reelection. In both of these contests he was beaten, but his consent to become a candidate showed first his fealty to his party, and secondly, his willingness to sacrifice himself even in a fruitless contest.

In 1909 he was elected to the United States Senate. Of his service here you have already heard, and all of you are more familiar with it than am I, and of it I shall not speak.

My intimate acquaintance with Senator SHIVELY began when I was elected a member of the board of trustees of the State University of Indiana, of which body he was president for many years. For six years I retained membership, afterwards resigning because of the pressure of other duties, but in that six years I learned to know the man intimately, to take his intellectual and moral measure, to assess his real value, and it was at that time that I came to the conclusion that he was indeed a masterful man, intellectually and morally—a man of the loftiest ideals, a man of the purest life, a man of the finest and most enviable traits of character. I have known him on many an occasion to read through the night propped up in bed. He was a passionate lover of history and of fiction and of poetry, and many nights down in the university town of Bloomington I have sat with him and discussed all the questions that men discuss on occasions of that character. He was a most interesting conversationalist; he told a story well and liked one; and yet his conversation was not by any means of a frivolous nature, except on rare occasions when men drop into the frivolous naturally, but his talk was rather of politics and of political opinions and of the movement of nations and the true ideals of life.

The one thing which always impressed me as being Senator SHIVELY's dominant idea in the realm of politics was his firm belief in the equality of men. He never wavered in his adherence to the fundamental doctrine of the Declaration of Independence, that all men were created equal, and he was never so eloquent and never so powerful as when he was expounding that doctrine to the people or even to an individual. The finest speech I ever heard him make was on the occasion of the celebration of a great fraternal order. It was there that he connected in a marked manner the material interests of life with the sentiments that warm the heart and exalt the soul, and showed that the man, intellectually and morally, was a type of orator and of statesman that might well be envied by any man.

So he lived and so he died. On only one occasion, as I recall, was there any conversation between us about the future, but I remember that at one time, along about the midnight hour, while he was in waning health, he said to me, "What is the difference what becomes of any one man? We come here, play our little part on the stage, and pass away, and that is all." I said to him, "But is that all?" And I vividly remember that he turned to me and said, "Well, if I did not believe in a future, or, rather, in a continued existence, I should be of all men most miserable."

Thus he lived in that hope of another world, and he died in the belief of immortality; and well may we say on this occasion, my friends, that Senator SHIVELY's life was a model for any young man desiring to come into success in our American Republic, for the elements so mixed in him that all the world might stand up and say of him, "Intellectually and morally, this was a man."

The VICE PRESIDENT. Without objection, the resolutions heretofore presented by the Senator from Indiana will be unanimously adopted.

MEMORIAL ADDRESSES ON THE LATE SENATOR BURLEIGH.

Mr. JOHNSON of Maine. Mr. President, in pursuance of the notice heretofore given, I offer the resolutions which I send to the desk, and ask for their adoption.

The VICE PRESIDENT. The resolutions will be read.

The SECRETARY read the resolutions, as follows:

Senate resolution 365.

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. EDWIN C. BURLEIGH, late a Senator from the State of Maine.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. JOHNSON of Maine. Mr. President, Hon. EDWIN CHICK BURLEIGH was born in Linneus, Me., November 27, 1843. His parents were Parker Prescott and Caroline Chick Burleigh. His grandfather, Moses Burleigh, moved from Sandwich, N. H., to Palermo, Me., in the early part of the nineteenth century, and in 1830, moved from Palermo to Linneus, Me. He was a prominent man in his section and a lieutenant colonel of the militia. In the War of 1812 he was captain of a militia company and represented his district in the Massachusetts general court and in the Maine legislature.

The father of Senator Burleigh, Parker Prescott Burleigh, was born at Palermo, May 16, 1812. He was a farmer and land surveyor, and held many town offices, was a member of the Maine House of Representatives for two terms and of the Maine Senate for four terms, and in 1868 was elected State land agent.

Edwin C. Burleigh was educated in the public schools and in Houlton Academy, where he took the college preparatory course but he early became interested in his father's calling of surveying, and instead of carrying out his purpose of entering college, he studied surveying, assisting himself while pursuing his studies by teaching school.

At the call for troops in 1861 he enlisted in the District of Columbia Cavalry, but was rejected by the examining surgeon, and entered the adjutant general's office at Augusta, Me., as a clerk, which position he filled until the close of the war. He then followed the occupation of land surveying, and in 1876, 1877, and 1878 was State land agent, and during the same years assistant clerk of the house of representatives. In 1880 he was appointed clerk in the State treasurer's office, elected State treasurer in 1885, and governor of his State in 1888, and reelected in 1890.

He was elected to the Fifty-fifth Congress from the third Maine district, and was reelected to the Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, and Sixty-first Congresses. He was elected United States Senator by the Maine Legislature January 15, 1913, for the term beginning March 4, 1913, and died at Augusta, Me., June 16, 1916.

A mere recital of the many offices of trust held by Senator BURLEIGH proves conclusively that he held the entire confidence of the people of his State, and the record is in itself a sufficient tribute to his worth and the high character of his public service.

Mr. BURLEIGH was a man of great industry, who believed in the efficacy of hard work, and no one among the many illustrious men whom Maine has honored has accomplished more by wisely taking advantage of every opportunity presented for advancement, and every office that he filled he did so to the satisfaction of the people of his State.

No man knew the needs of his State better than he and no man gave more generously of his services and his abilities for her upbuilding. In the minor positions of trust which he held he was an industrious, efficient, trustworthy official, and won the commendation of all with whom he came in contact.

He had the faculty of making friends and attaching them to him with bonds so strong that they were securely held. His manner was most courteous and sympathetic, and no man ever enjoyed doing a kindness for another more than he or derived greater satisfaction from such acts.

As a result, at the very beginning of his public career he had loyal, earnest friends, whose attachment to him and interest in his advancement were remarkable. He had all the qualities of a good business man and was perfectly upright in all his transactions, and his word, when once given, could be absolutely relied upon. In his conduct of the offices of State treasurer and governor these same business qualifications displayed themselves and largely increased the regard which the people of his State had for him.

He was not gifted with extraordinary brilliancy nor possessed of genius, but he used faithfully, persistently, and honestly the

abilities with which he was endowed. His administration of the State as governor was marked by his careful attention to all details, and, as he was most democratic in his manner, approachable, and sympathetic, the people of Maine found in him a public servant whose doors were always open and to whom the most humble could apply.

Under his administration an attempt was made to remove the capital of the State from Augusta to Portland, which he strongly resisted with success. A large appropriation was made for the enlargement of the statehouse, and he was made the chairman of the commission which gave to Maine a finely equipped and commodious State capitol.

His attention was attracted to the needs of the militia of Maine; and he advocated and, by the influence of his great office, obtained the purchase of a permanent militia ground in the capital of the State, where the citizen soldiery could meet once a year.

He observed the needs of the State for larger accommodations for the unfortunate insane and strenuously advocated the building of another asylum for them in the eastern part of the State, and as a result of his efforts the Eastern Maine Hospital for the Insane, at Bangor, was established.

It had become apparent that there was a great discrepancy between the valuation of property in our State for the purposes of State taxation and the valuation placed upon it by agents of the Federal Government. He therefore advocated the creation of a valuation commission, which should study the question of valuation in the State of Maine, and strongly advocated the appointment of a board of State assessors, which should take under consideration values in the State and report to the State legislature the results of their investigation. He strongly advocated the passage of the Australian ballot system, although many in his party opposed it.

During his administration as governor, by his wise business administration, the public debt of Maine, which had borne interest at 6 per cent, was refunded at 3 per cent and a large saving made to the taxpayers of Maine. His mind was alert and filled with the sense of his obligation to the people who had intrusted him with the responsible position, and his conduct of the affairs of his State with which he, as the supreme executive of the State, was connected was entirely satisfactory to her citizens.

He was always a sincere friend to the old soldier, and under his administration as governor the appropriations of the State for their relief were increased to nearly twice their previous amount.

His administration of the various State offices to which he had been appointed and elected so inspired his people with confidence in his integrity and ability, and they had become so attached to his democratic manners and careful attention to their varying needs, that the people of his district, although ably represented in Congress, called for his candidacy for the nomination for Congress in 1892. He was defeated in this contest but gave loyal support to the nominee, Hon. Seth L. Milliken.

His loyal support of Mr. Milliken after this heated controversy won for him the commendation of the members of his party, and at Mr. Milliken's death, in 1897, he was nominated and elected as his successor. He was now chosen to represent the district so singularly represented by Mr. Blaine for many years, the old third Maine district. He had won his way by hard work, loyal support of its friends, and a clean public record.

He came to Washington a man but little past middle life, of splendid physique, and unlimited capacity for work. He was not an orator, but he gave his great energy and his unlimited capacity for work to the service of his constituents. Maine had had many brilliant men to serve her in the Halls of Congress, but never one who surpassed Senator BURLEIGH in his capacity for work and in his desire to serve the humblest of his constituents.

I think he gained greater satisfaction from being of service to one of his constituents than the recipient ever experienced in the enjoyment of what was obtained for him. He assiduously cultivated his acquaintance with all of his constituents and encouraged their frequent communication with him. As a result he had most firmly the attachment of all the members of his party in his district, and by his broad generosity he had attached to himself the support of many of his opponents.

And thus, through a long congressional career, which began in 1897 and did not end until the close of the Sixty-first Congress, on March 4, 1911, he held the people of his district in most loyal support, not by the brilliancy of his career, but by his honest, earnest, and sincere attachment to their interests.

In 1910 he suffered the first defeat he ever experienced at the polls; but it came when his party in Maine met, the first time since 1880, a defeat in their State election. The result was not a defeat of himself individually, but it was a defeat of the whole party; and as a loyal member of it he went down with it. None of his friends, and very few of his opponents, expected his defeat; but under the form of ballot which Maine had adopted, party defeat meant individual defeat.

He had to such a degree won the confidence of his party in the State that when it became necessary to nominate in the State-wide primary for the first time a candidate for the United States Senate, in 1912, he won easily in the contest, although opposed by men of great attainments; one of them an ex-justice of the supreme court of his State and the other a lawyer whose great ability as an eloquent advocate and also as a man of broad sympathies and the highest intellectual development had marked him as one of the leaders of thought and directors of public opinion in the State.

Having won his nomination for the Senate, he entered with his usual vigor upon the conduct of his campaign, directing his efforts to carrying the close congressional districts of his State. He was successful; and although the legislature which was elected was, in its political complexion, the closest in the history of the State, he won the election to a seat in this body by the narrow margin of one vote.

The energy and persistency with which he conducted his candidacy for his election have never been equaled in a political contest in the State, and without the supreme loyalty of most sincere friends, he could not have been elected.

He came to the Senate a sick man. The great contest through which he had passed had paralyzed his magnificent bodily energies, for he had given to his candidacy the best that was in him, and nature must have her way. Of this he had thought little, because in his splendid equipment he had known nothing of disease or of sickness. Work had been his pastime; success had been his reward.

I saw him when he came to take his oath of office in 1913. My acquaintance with him had been limited, although my home from birth had been only 20 miles from the capital where he had long resided, but I had been a lawyer, devoted to my profession, and of another political faith. Consequently we had not been brought in contact with each other, but I saw him close to when he had come with his devoted wife and daughters, who so affectionately followed his footsteps, to take upon himself his oath of office in this Chamber.

I gladly went to him when I learned of his presence in this city, and found him in intense suffering. He had come here feeling that he must be present to have the oath of office administered to him at the commencement of his term on March 4, 1913, and had arranged to submit to a surgical operation as soon as he had received his oath.

My first acquaintance began with him then, when he lay upon his bed of sickness, but the first hand grasp between us disclosed that we had an intimate bond of connection. I admired his courage, his high sense of public duty, and his determination in spite of physical disease to discharge the duties which he believed he had assumed. I attempted to make easy for him the assumption of these duties, and I never received greater satisfaction in my public life than I did from his sincere acknowledgment of his gratification at what he termed my courtesy.

He went from the Senate Chamber, after taking his oath, to a bed of sickness and pain and hovered between life and death for several weeks, cared for by his devoted and loving wife. I heard from him often, and when he rallied and was able to leave the hospital where he had been treated the people of my State rejoiced that one who had served them so faithfully and long had been restored to their service.

He came back to assume his duties here, but disease and inexorable fate had placed their stamp upon him. With indomitable courage and a high sense of duty he attempted to discharge what his conscientious regard for service had always taught him, that there should be a return for what was rendered him. I grew to have a most affectionate regard for him as I observed his fine traits of character, the breadth of his mind, and his consideration for others, including myself.

His service here was too short for Senators to learn his lovable disposition, his ability for public service, and his loyal devotion to the interests of his country. Fate had made me his senior in this Chamber although I was inexperienced as compared with his larger participation in public affairs, but he most readily accorded me full support in all measures which concerned our State.

That energy and physical health which had enabled him to be of such important service to his State while a Member of the lower House of Congress, had failed him, but his desire to be of service, his loyalty to his State, and his interest in the wel-

fare of both State and Nation, were still the guiding, controlling influences of his life.

Thus I saw him and grew to love him and I believe that my affection was reciprocated. I come now to pay the honest tribute of a sincere friend who has had an opportunity to see the inner life of a conscientious public servant.

No tribute to Senator BURLEIGH would be complete without mentioning that supreme test of a man's life—the verdict rendered upon him in his home, and among those bound to him by ties of blood. He was most fortunate in having chosen as his companion for life a woman of remarkable energy, strength of character, and traits which go to make up the wife and mother. In her, nature had joined all these, and she was to him a helpmeet indeed.

Her great intellectual ability supplemented his, and together they fought the battle of life on fully equal terms, and if ever man had reason to thank heaven for having blessed him with a loyal wife, Senator BURLEIGH was under that obligation.

She entered with him into all his political contests and with the acumen of a woman's judgment, weighed every political exigency. She was a true wife. Her heart was with her husband and with him it went with a loyal, loving devotion that sustained and strengthened him in every contest. She was of the best type of our New England women, reliant, strong, trustworthy, and loyal, and to a great measure his success was due to her ennobling influence.

The sons and daughters who grew up about them were splendid examples of New England's civilization. It has been my good fortune to know them all and to know that the heritage that they received from an honorable father and a loving mother has been most meritoriously preserved.

Senator BURLEIGH had achieved success in the political arena and in business life as well. He bore upon himself the honors of an old State, conservative in her grants of favor. About him he had gathered, by his industry and his business sagacity the fruits from a long life with troops of friends, the loving, affectionate services of a dear companion, and the most filial regard of sons and daughters, whose children looked to him for endearing phrase and were ever the subject of his tender solicitation. Life had brought him in abundance of her treasures, and when he seemed most ready to enjoy them the inexorable call of fate called him, as it will each of us, to sever every tie.

The wife who had been the companion at his side, who had planned with him, who had rejoiced with him at his successes, and who at his defeat had soothed him with her assurances of a deep regard was called from his side, and when that summons came I knew the end was not far off for him, because nature had so linked their lives together that one could not long survive the other.

He did not long survive her death, but dwelling in the gloom with gathering darkness over him death came to him on June 16, 1916, but a short time after that of his wife. We laid him at rest in the capital of our State, where he had so many friends, beside her broad, rolling Kennebec, in the city he loved, and near the capitol, the scene of so many political contests in which he was concerned. There came to mourn his loss not only the high and influential but I marked those of lowly position and reverent mien, who came to show their devotion and to express their loss.

His was a grand character, not because it rose in mountain peaks, upon which the eye rested, but rather because it was that of the undulating plain, steadfast and serene. He satisfied most because on the plain most dwell; on the mountain peak the idealist's vision rests. He was for the practical, the everyday, which brings into common life something that touches neighbor and friend and as such he bore an abundant harvest.

Maine has had men of genius showered in great abundance upon her but never one who brought more of the sunlight into the home of the common, every day citizen and was more a friend to him in want, or did more to meet the demands upon him as friend, neighbor, and constituent, than Senator BURLEIGH.

In his long life, devoted to the public service, beginning with the boy of 18 years of age, to the close of his service as United States Senator in the 73d year of his life, through all the various offices of trust to which he had been elected and in which he had so faithfully served the people of his State, not one stain remains upon that official record. It is clean and does not now, and never will, need a defender.

Mr. GALLINGER. Mr. President, EDWIN CHICK BURLEIGH was my friend, and I loved him as a brother. He was a man of acknowledged ability, of the highest order of integrity, and the personification of kindliness and courtesy. He was one of the most delightful of companions, and a man who could be relied upon at all times to do the just and honorable thing. My attachment to him was so deep and sincere that his death came to me in the nature of a personal bereavement. In thinking of him and his rare qualities the lines of James Whitcomb Riley are recalled, as they illustrate the feeling I had toward him:

And so it is you cheer me,
My old friend,
For to know you and be near you,
My old friend,
Makes my hope of clearer light,
And my faith of surer sight,
And my soul a purer white,
My old friend.

Mr. BURLEIGH had made a great reputation in his State before engaging in the public service. He was a business man of large activities, owner and editor of an influential newspaper, and governor of his State for three years. In every position to which he was called he discharged his duties with rare fidelity, becoming one of the most popular and influential men in the State of Maine.

Mr. BURLEIGH entered the National House of Representatives in the Fifty-fifth Congress, having been chosen at a special election held June 21, 1897, to fill the vacancy caused by the death of Hon. Seth C. Milliken, and he immediately was recoginzed by his associates as a strong and useful member of that body.

His first speech in the House was a eulogy on the life and character of Mr. Milliken, his predecessor. In that eulogy Mr. BURLEIGH said:

I am fully conscious of the inadequacy of mere words, in time of deep bereavement, to voice the sentiments of the heart and speak the language of sorrow.

And in those few words Mr. BURLEIGH expressed the feelings that those of us who knew him well feel to-day.

Mr. BURLEIGH was an engaging speaker, quick in repartee, but he was a man—

Whose wit in the combat, as gentle as bright,
Ne'er carried a heart-stain away on its blade.

His eulogy on Mr. Milliken closed with this quotation:

THE DEATH CHANGE COMES.

Death is another life. We bow our heads
At going out, we think, and enter straight
Another golden chamber of the King's,
Larger than this we leave, and lovelier.
And then in shadowy glimpses, disconnected,
The story, flowerlike, closes thus its leaves.
The will of God is all in all. He makes,
Destroys, remakes, for His own pleasure all.

On June 15, 1898, Mr. BURLEIGH made a strong speech in favor of the annexation of the Hawaiian Islands, saying that "Such a move will establish an ocean fortress for the protection of the great and growing interests of our Pacific coast, and bring nothing but benefits to the American people."

January 5, 1901, Mr. BURLEIGH made a notable speech on the apportionment bill then pending, in which he advocated an adequate representation "to keep pace in some degree with the growth of the country in population and material resources."

After being in the House of Representatives for about 13 years Mr. BURLEIGH became a Member of the Senate on March 4, 1913, and after a service covering a period of a little over three years he died June 16, 1916. He served on important committees, and nothwithstanding his health was greatly impaired during his entire service in the Senate he was faithful in committee work and attentive to his duties on the floor. He was a favorite on both sides of the Chamber, his affability and kindness of heart gaining him the good will and friendly regard of all with whom he came in contact.

Mr. President, if it be true that the tomb is but the gateway to an eternity of opportunity, we can well believe that our friend, the late Senator from Maine, freed from the shackles that beset us in this life, with greater opportunities and an enlarged vision is still engaged in shedding light and happiness upon those around him. He acted well his part in life, and is doubtless receiving the reward that comes to those who deserve the appellation of "Well done, good and faithful servant." Of him it may well be said, in the words of a Massachusetts poet:

So when a great man dies,
For years beyond our ken,
The light he leaves behind him lies
Upon the paths of men.

Senator BURLEIGH is gone, but the memory of his good deeds should be an inspiration and a help to those of us who are left behind. Let us emulate his virtues, and endeavor to meet all the vicissitudes of life with the same philosophical calmness and lofty purposes which characterized our late associate and friend.

Mr. JONES. Mr. President, I come to pay a simple, heartfelt tribute to my friend, whose memory is an inspiration and a benediction to me. The world may have forgotten him. It

soon forgets if it ever remembers us. It keeps in mind only those great figures which spring from some great cataclysm or epoch-making event and tower above the landscape of the world's progress with centuries rolling between. This, however, will not discourage anyone who looks upon life from the viewpoint of humanity. We may not command the world's attention through the centuries, but we can live in grateful remembrance in some human heart long after our bodies are dust and our spirits have passed to the great beyond.

There are events in our lives that make lasting impress upon mind and heart. Their memory lasts through the years and become sweeter as the days go by. They may seem small in themselves and yet be priceless in their effects. They make us better men and life more worth living.

My public service began with the Fifty-sixth Congress. It was my good fortune to draw a seat next to EDWIN C. BURLEIGH. He sat on my left. I do not remember who sat on my right.

I was a stranger and a new Member in one of the branches of the greatest lawmaking body in the world. I may have attached too much importance to my presence in that body. I was soon made to feel that there were others there who knew something and felt their responsibility. Mr. BURLEIGH had served in the preceding Congress. He no doubt knew my feelings, but not by word or act did he make me feel this. He was so kind, so considerate, and so sympathetic that he won my high regard and lasting gratitude. I trusted him unconsciously. I came to him freely and naturally for advice and help. He was so tactful and so kind and so helpful that I was saved from many a humiliation. I did not see it then, but I saw it afterwards, and this fact makes his memory more precious to me. He did not treat me differently from others; this was his character. He did these kind and gentle things without apparent thought, and yet he was so tactful in it all that one knew the head was directing the heart in a sincere and unselfish way that he might be most helpful without being obtrusive.

He was not a showy Member of Congress, but he was a faithful and efficient Representative of his people. Their interests were his interests, and he looked after them to the minutest detail. While others were speaking to but little purpose except to attract attention, he was doing things. While others were entertaining the galleries with fulsome platitudes, he was doing *things for* his constituents by his work before committees and by following up and pressing the matters of interest to them in a quiet, persistent, and effective way. He measured his success by the results and not by his oratory.

One instance of his quiet but effective work comes to mind. After the census of 1900, congressional apportionment and representation came up in the House. It was proposed to reduce the membership of the House. This plan would have reduced Maine's representation. Mr. BURLEIGH took the lead in the quiet, effective, organized opposition to this measure. It was defeated, and Mr. BURLEIGH was more responsible for its defeat than anyone else.

Mr. President, this is but a feeble and imperfect tribute to a very dear friend. The orator may be reasonably well satisfied with his rounded sentences, well-chosen words, and fitting climaxes upon some lofty theme, but words fail, they are empty things, when one attempts to pay fitting tribute to a dear friend. This is my feeling now. EDWIN C. BURLEIGH was my dear and good friend. He was a faithful representative, a loyal, tactful friend, a real, kindly gentleman, and a genuine true man. The world is better for his life, and there are many to whom his memory is and will continue to be an inspiration and a benediction.

Mr. FERNALD. Mr. President, the kindly, generous tribute which has just been paid to Senator BURLEIGH by my distinguished colleague, is, I am pleased to believe, characteristic of American politics.

In life we struggle for the principles we cherish, urged on by the incentive of ambition; but when death claims one of our number we bow to the inevitable and together mourn the loss.

Nothing can be added to the biographical sketch of EDWIN C. BURLEIGH so eloquently spoken by my colleague. Born almost in a wilderness, far from city or town, he labored on a farm as other boys have done, but with a determination to become useful. He endured much to gain an education and to qualify himself for those positions of honor which he was to hold in after life.

To achieve success is the duty of every man and woman in America, and the accomplishment of it possible to all who are willing to pay the price in patience, perseverance, temperance, economy, hard work, and faith in the future. Senator BURLEIGH possessed all these virtues, and having a splendid physique was able to accomplish much which would have been impossible to one of less sturdy frame.

Mr. BURLEIGH was successful in all his undertakings as a business men; his splendid judgment, his careful attention to every detail, his rugged honesty, his unfailing loyalty made him the trusted leader of the pioneers who in his early years were beginning to develop the marvelous resources of the great county of Aroostook, where he was born. And that confidence placed in him by his early companions was never shaken.

No man stood higher in the esteem of his associates than did EDWIN C. BURLEIGH. From his early advent into public life he manifested that same interest in State and national affairs that had made him so successful in all his business activities. The same love of truth; the same unswerving loyalty; the same fidelity to his constituents was ever present and paramount during his entire public service. Senator BURLEIGH could always be depended upon to do his full duty and do it well. His conscience was ever his guide, and to do right his great ambition.

As treasurer of our State, Mr. BURLEIGH was a careful, painstaking, and trusty official; and the books of the department during his term of office are models of neatness and accuracy.

As governor of our State he was admired not only for his great ability as an executive—and his administration will go down in history as one of the best our good State of Maine has ever had—but also for his simple, democratic manner and his fair and courteous attitude toward all opponents.

As United States Senator, he was privileged to serve only a brief period, but in that time he commanded the respect of all his associates and filled the office to a fullness which might have been expected of one who had served so faithfully in other official capacities.

But the phase of Senator BURLEIGH's character which appealed most strongly to those who knew him best was his love of home, and the reflection of his domestic life shone through his public career, as a close bond existed between the official and domestic atmosphere. The constant companionship of Mr. and Mrs. BURLEIGH was a charming picture, as she accompanied him in all his hardest campaigns; and his children were consulted and advised with on matters of interest. It has been affectionately said of him that his family constituted his cabinet.

Senator BURLEIGH's death is sincerely mourned, and to those who knew him best his memory will be cherished as a loyal and delightful friend, a congenial associate, and a patriotic and devoted servant of the people.

In this world of contrasts—tempest and sunshine, pain and pleasure—we know that—

Every joy must have its sorrow,
Every pleasure brings its pain;
To-day is bright with sunshine,
To-morrow weeps its rain.

To-day a smile is playing
On the lip and in the eye;
To-morrow tears are falling
And the fount of mirth is dry.

The calm succeeds the tempest,
As the light the darksome hours;
On the rough and thorny bramble
Bloom the sweetly perfumed flowers.

Life springs from death's cold ashes,
And in death life's lamp grows dim;
In Eden perfect bliss is found,
And from Eden cometh sin.

And thus in contrast ever
Light and shadow strangely blend,
To fit and discipline us
For life's highest, noblest ends.

Mr. ROBINSON. Mr. President, as a further mark of respect to the memory of the deceased Senators I move that the Senate do now adjourn until 10.30 o'clock to-morrow morning.

The motion was unanimously agreed to; and (at 1 o'clock and 35 minutes p. m., Sunday, February 18, 1917) the Senate adjourned until to-morrow, Monday, February 19, 1917, at 10.30 a. m.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 18, 1917.*

The House met at 12 o'clock noon and was called to order by Mr. JACOWAY as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father-Soul, Thy blessing be upon us to fit us for the sacred duty of the hour, a time-honored custom, a precious memorial dear to our hearts. Two great men, public servants, Senators of the United States, have been called from labor to refreshment, from earth to heaven. Ours the loss, theirs the gain; ours the sorrow, theirs the joy; ours the hope, theirs the reality; ours the struggle, theirs the victory. May the unbroken continuity of life which has come down to us out